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## TO:

Name: Mail-Stop AMENDMENT  
Art Unit 3772/Examiner Michael Brown

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/047,545

Gary Karlin Michelson

Filed: January 16, 2002

THREADED FRUSTO-CONICAL INTERBODY

SPINAL FUSION IMPLANTS

Attorney Docket No. 101.0053-01000

Customer No. 22882

Confirmation No.: 4993

## FROM:

Name: Thomas H. Martin

Phone No.: 330-877-2277

No. of Pages (including this): 4

Date: October 30, 2007

Confirmation Copy to Follow: NO

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Message:

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Information Disclosure Statement Under 37 C.F.R. § 1.97(c) and Form PTO/SB/08 (total amount of \$180.00 to cover the IDS fee is to be charged to Deposit Account No. 50-3726) are being facsimile transmitted to the U.S. Patent and Trademark Office on October 30, 2007.

  
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PATENT  
Attorney Docket No. 101.0053-01000  
Customer No. 22882**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Conf. No.: 4993
Gary Karlin Michelson	)	
Serial No.: 10/047,545	)	Group Art Unit: 3772
Filed: January 16, 2002	)	Examiner: Michael Brown
For: THREADED FRUSTO-CONICAL	)	
INTERBODY SPINAL FUSION	)	
IMPLANTS	)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), the fee of \$180.00 as specified by Section 1.17(p) is to be charged to Deposit Account No. 50-3726.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

10/31/2007 PCHURP 00000062 503726 10047545  
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Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-3726.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: October 30, 2007

By: 

Thomas H. Martin  
Registration No. 34,383

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